

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

DAVID STEBBINS,)	
)	
Plaintiff,)	
)	
v.)	
)	Case No. 10-3305-CV-S-RED
RELIABLE HEAT & AIR, LLC, et al.,)	
And)	
)	
RANDAL RICHARDSON, et al.)	
)	
Defendants.)	

SUGGESTION IN OPPOSITION TO MOTION FOR HEARING

Comes now Plaintiff David Stebbins, who respectfully submits the following answer to the Defendants' motion motion for a hearing to determine the sufficiency of my objections to the Defendants' first interrogatories.

1. The interrogatories are rendered moot by the motion to confirm the arbitration award, and the Defendants' failure to timely file any suggestions in opposition to that motion.

Therefore, my objections should be sustained, as moot.

2. Defendants are required to confer with me via telephone regarding the discovery motion.

A written request, such as an email, is not sufficient. Only if an answer is not obtained after that telephone conference may the Defendants petition the court for an order compelling discovery. See Local Rule 37.1. Defendants have not claimed to have done this, and even if they did, it would have been a lie, because I received no calls from the Defendants. Therefore, their motion for a hearing should be denied as procedurally premature.

3. Defendants claimed that I objected to Interrogatory #16, but I did not object to it. I

served the Defendant with an answer to the interrogatory.

4. Defendants claim that my objections are without “legal or proper” basis (whatever that means). However, he provided no details. I cannot draft any sort of counter-argument against it if he does not provide me with details, and I refuse to wait until the hearing begins before I hear the Defendants' details, because that would prejudice me by subjecting me to a trial by ambush.
5. My objections are not without legal basis. All the objections are either based on legal privilege (such as my medical history, or my social security number), lack of relevance, or “asked and answered,” because the details were already provided in my complaint. These are all valid reasons to object to a claim.

Wherefore, I respectfully pray that my objections be sustained, and a protective order be entered against me in violation of

David Stebbins

A handwritten signature in black ink that reads "David Stebbins". The signature is written in a cursive, slightly slanted style.

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